

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER AFTER PRETRIAL HEARING (CHILD PROTECTIVE PROCEEDINGS), PAGE 1 ORDER ____ OF ____	CASE NO. PETITION NO.
Court address		Court telephone no.

1. In the matter of
name(s), alias(es), DOB

2. Date of hearing: _____ Judge/Referee: _____ Bar no.

☐ 3. Removal date: _____ (specify for each child if different)

THE COURT FINDS that:

4. The child(ren) ☐ is/are ☐ is/are not subject to the continuing jurisdiction of another court. Court: _____
5. A petition has been submitted alleging that the above child(ren) come(s) within the provisions of MCL 712A.2(b).
6. ☐ Notice of hearing was given as required by law. ☐ Notice of proceedings is to be given as required by law.
7. The lawyer-guardian ad litem ☐ has ☐ has not complied with the requirements of MCL 712A.17d.
8. ☐ a. There is probable cause to believe the legal/putative father(s) is/are: (name each child, his/her father, and whether legal or putative)

☐ b. The putative father of _____ is unknown and cannot be identified.

☐ c. The natural father was notified as required by law and failed to establish paternity within the time set by the court. The natural father waives all rights to further notice, including the right to notice of termination of parental rights and the right to an attorney.

☐ 9. ☐ a. Contrary to the welfare findings were made in a prior order.

☐ b. It is contrary to the welfare of the child(ren) to remain in the home because: (attach separate sheets as necessary)

- ☐ 10. ☐ a. Reasonable efforts to prevent removal of the child(ren) from the home were made as determined in a prior order.
- ☐ b. Reasonable efforts were made to prevent removal of the child(ren) from the home. Those efforts include: (specify)

☐ c. Reasonable efforts to prevent removal of the child(ren) from the home were not made.

(SEE SECOND PAGE)

Do not write below this line - For court use only

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER AFTER PRETRIAL HEARING (CHILD PROTECTIVE PROCEEDINGS), PAGE 2 ORDER ____ OF ____	CASE NO. PETITION NO.
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In the matter of

- ☐ 11. a. Reasonable efforts are not required to prevent the child(ren)'s removal from the home due to
☐ the ☐ mother's ☐ father's subjecting the child(ren) to the aggravated circumstance(s) of _____ as provided in section MCL 722.638(1) and (2), and as evidenced by _____.
- ☐ the ☐ mother's ☐ father's conviction for murder of another child of the parent.
☐ the ☐ mother's ☐ father's conviction for voluntary manslaughter of another child of the parent.
☐ the ☐ mother's ☐ father's conviction for aiding or abetting in the murder or manslaughter of another child of the parent, attempting to murder the child(ren) or another child of the parent, or conspiring or soliciting to commit the murder of the child(ren) or another child of the parent.
☐ the ☐ mother's ☐ father's conviction for felony assault that resulted in serious bodily injury to the child(ren) or another child of the parent.
☐ the ☐ mother's ☐ father's involuntary termination of parental rights to a sibling of the child(ren).
- b. Reasonable efforts to preserve and reunify the family to make it possible for the child(ren) to safely return home are
☐ not required because the parent subjected the child or another child of the parent to one of the circumstances stated above.
- OR**
☐ still recommended because:

(when item 11 is checked, either complete item 13 below or schedule a permanency planning hearing within 30 days of this determination)

- ☐ 12. ☐ a. Reasonable efforts shall be made to preserve and reunify the family to make it possible for the child(ren) to safely return home.
☐ b. Reasonable efforts shall not be made to preserve and reunify the family because it would be detrimental to the child(ren)'s health and safety.
- ☐ 13. Since reasonable efforts to prevent removal or to reunite the child(ren) and family are not required, a permanency planning hearing was conducted. (**use and attach form JC 64**, Order Following Permanency Planning Hearing, Pre-Termination)
14. Conditions of custody in the home and with the individual with whom the child(ren) reside(s)
☐ a. are adequate to safeguard the child(ren) from the risk of harm to the child(ren)'s life, physical health, and mental well-being.
☐ b. are not adequate to safeguard the child(ren) from the risk of harm to the child(ren)'s life, physical health, and mental well-being.
☐ No provision of service or other arrangement except removal of the child(ren) is reasonably available to adequately safeguard the child(ren) from the risk of harm to the child(ren)'s life, physical health, and mental well-being.
☐ Conditions of custody at the placement away from the home and with the individual with whom the child(ren) is/are placed are adequate to safeguard the child(ren)'s life, physical health, and mental well-being.
- ☐ 15. Parenting time with _____, even if supervised, may be harmful to the child(ren).

(SEE THIRD PAGE)

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER AFTER PRETRIAL HEARING (CHILD PROTECTIVE PROCEEDINGS), PAGE 3 ORDER ____ OF ____	CASE NO. PETITION NO.
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In the matter of

IT IS ORDERED:

- ☐ 16. Notice is to be given to the legal/putative father(s) as required by law. ☐ The father was not present and must appear at the next hearing. ☐ The putative father was present at this hearing and shall establish paternity within 14 days.

17. The child(ren)

- ☐ is/are placed with the Department of Human Services for care and supervision, and
- a. the parent(s), guardian, or legal custodian shall execute all documents necessary to release confidential information regarding the child(ren) including medical, mental, and educational reports, and shall also, within 7 days, provide the Department of Human Services with the name(s) and address(es) of the medical provider(s) for the child(ren). Any medical provider for the child(ren) shall release the medical records of the child(ren) to the Department of Human Services.
 - b. if the child(ren) is/are placed in the home of a relative, a home study shall be performed by the Department of Human Services and a copy of the home study submitted to the court not more than 30 days after the placement.
 - c. upon request, the Department of Human Services shall release to the foster parent the information concerning the child(ren) in accordance with MCL 712A.13a(13).

- ☐ remain home with or is/are released to _____ under the supervision of
Name of parent, guardian, or legal custodian
 the Department of Human Services. ☐ The following terms and conditions apply to the parent/guardian/legal custodian:

- ☐ 18. Each child shall have ☐ a psychological evaluation ☐ counseling to determine appropriateness and conditions of parenting time.

- ☐ 19. Parenting time of _____ is
- ☐ supervised by the Department of Human Services and/or its designee.
 - ☐ unsupervised at the discretion of the Department of Human Services.
 - ☐ suspended while psychological evaluation or counseling is conducted, or until further order of the court.

- ☐ 20. Parenting time of _____ is
- ☐ supervised by the Department of Human Services and/or its designee.
 - ☐ unsupervised at the discretion of the Department of Human Services.
 - ☐ suspended while psychological evaluation or counseling is conducted, or until further order of the court.

- ☐ 21. Parenting time of _____ is
- ☐ supervised by the Department of Human Services and/or its designee.
 - ☐ unsupervised at the discretion of the Department of Human Services.
 - ☐ suspended while psychological evaluation or counseling is conducted, or until further order of the court.

22. Placement shall continue pending ☐ resumption of the pretrial ☐ trial ☐ disposition

on _____
Date and time

- ☐ 23. Other: (include orders regarding discovery, scheduling orders, etc.)

 Date

 Judge

MCL 722.638 - AGGRAVATED CIRCUMSTANCES

- (1) The Department shall submit a petition for authorization by the court under Section 2(b) of Chapter XIA of 1939 PA 288, MCL 712A.2, if one or more of the following apply:
 - (a) The Department determines that a parent, guardian, or legal custodian, or a person who is 18 years of age or older and who resides for any length of time in the child's home, has abused the child or a sibling of the child and the abuse included one or more of the following:
 - (i) Abandonment of a young child.
 - (ii) Criminal sexual conduct involving penetration, attempted penetration, or assault with intent to penetrate.
 - (iii) Battering, torture, or other severe physical abuse.
 - (iv) Loss or serious impairment of an organ or limb.
 - (v) Life threatening injury.
 - (vi) Murder or attempted murder.
 - (b) The Department determines that there is risk of harm to the child and either of the following is true:
 - (i) The parent's rights to another child were terminated as a result of proceedings under Section 2(b) of Chapter XIA of 1939 PA 288, MCL 712A.2, or a similar law of another state.
 - (ii) The parent's rights to another child were voluntarily terminated following the initiation of proceedings under Section 2(b) of Chapter XIA of 1939 PA 288, MCL 712A.2, or a similar law of another state.
- (2) In a petition submitted as required by subsection (1), if a parent is a suspected perpetrator or is suspected of placing the child at an unreasonable risk of harm due to the parent's failure to take reasonable steps to intervene to eliminate that risk, the Department of Human Services shall include a request for termination of parental rights at the initial dispositional hearing as authorized under Section 19b of Chapter XIA of 1939 PA 288, MCL 712A.19b.